

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

Charles E. Bungard,

Petitioner,

v.

Case No. 2:07cv138

Mellon Financial Corp., *et al.*,

Judge Michael H. Watson

Respondent.

**OPINION AND ORDER**


Before the Court is the April 5, 2007 Magistrate Judge's Report and Recommendation (hereinafter "Report") (Doc. 3).

The parties were given proper notice, pursuant to 28 U.S.C. § 636(b)(1)(C), including notice the parties would waive further appeal if they failed to file objections to the Report in a timely manner. See *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). To date, no objections to the Report have been filed.

Upon *de novo* review of this matter, pursuant to 28 U.S.C. §636, the Court finds no error in the Report. Accordingly, the Report (Doc. 3) is hereby **ADOPTED**. Therefore, the February 22, 2007 Motion of Plaintiff Charles E. Bungard for Leave to Proceed *In Forma Pauperis* (Doc. 1) is hereby **GRANTED** and the February 22, 2007 Complaint of Plaintiff Charles E. Bungard is hereby **DISMISSED** for failure to plead

subject matter jurisdiction as required by Fed. R. Civ. Pro. 8(a), and for failure to state a claim against any individual defendant.

**IT IS SO ORDERED.**



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Michael H. Watson, Judge  
United States District Court